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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/890,830	08/06/2001	Takeshi Natsuno	9683/89	8170
7590 07/30/2004				
Brinks Hofer Gilson & Lione PO Box 10395 Chicago, IL 60610			EXAMINER DOAN, PHUOC HUU	
			ART UNIT 2684	PAPER NUMBER
			DATE MAILED: 07/30/2004	

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/890,830

Applicant(s)

NATSUNO, TAKESHI

Examiner

Phuoc H Doan

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 08/06/2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☒ Certified copies of the priority documents have been received in Application No. PCT/JP00/08695.
  - 3) ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3-6.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by D'Avello et al (US Patent No: 4,860,341).

As to claim 1, D'Avello et al discloses a mobile communication terminal (Fig. 1, item 101) disabling method, comprising the steps of: a control station within a mobile communication network (Fig. 1, column 3, lines 43-53), in response to a request for disabling any mobile communication terminal (column 6, lines 14-43), storing in a memory disabling information corresponding to the mobile communication terminal (column 6, lines 25-49); when a call is initiated by a mobile communication terminal corresponding to the disabling information stored in the memory (column 6, lines 44-52), transmitting from said control station disabling signal for suspending part or all functions of the mobile communication terminal (column 6, lines 30-43, and column 8, lines 24-51); and conducting a process for disabling the mobile communication terminal based on said disabling signal at said mobile communication terminal (column 7, line 10 through column 8, line 61).

As to claim 2, D'Avello et al further discloses that further comprising the steps of: when a call is initiated by any mobile communication terminal (column 6, lines 44-52), a base station receiving identification information for identifying the mobile communication terminal (column 14, lines 12-17); and transmitting said identification information to the control station (column 12, lines 19-46, and column 14, lines 12-17).

As to claim 3, D'Avello et al further discloses that wherein said process for disabling the mobile communication terminal is suspending the use of one or plurality of card information items stored in said mobile communication terminal (column 6, lines 25-35).

As to claim 4, D'Avello et al further discloses that wherein said one or plurality of card information items are information required for electronic-commerce transactions (column 12, line 19 through column 13, lines 12).

As to claim 5, D'Avello et al further discloses that wherein said process for disabling the mobile communication terminal is suspending the wireless communication function of said mobile communication terminal (column 8, lines 24-61).

As to claim 6, D'Avello et al discloses a mobile communication network (Fig. 1, column 3, line 43 through column 4, line 2) comprising: a control station having a memory for storing (Fig. 1, item 109, column 4, lines 13-16), in response to a request for disabling any mobile communication terminal (column 6, lines 14-43), disabling information corresponding to said mobile

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communication terminal (column 6, lines 16-25); and for transmitting disabling signal (column 6, lines 25-31), when there is a call from the mobile communication terminal corresponding to the disabling information stored in the memory (column 6, lines 25-31), for suspending a part or all of functions of the mobile communication terminal (column 6, lines 14-68); and a base station for wirelessly transmitting to said mobile communication terminal said disabling signal transmitted by said control station (column 3, line 43 through column 4, line 21).

As to claim 7, D'Avello et al further discloses that wherein said base station (column 12, lines 19-46, and column 14, lines 12-17), when there is a call from any mobile communication terminal, receives identification information of the mobile communication terminal to be sent to said control station (column 12, lines 19-46, and column 14, lines 12-17).

As to claim 8, D'Avello et al further discloses that wherein said base station, after said control station receives said disabling signal, transmits said disabling signal at all times or regularly (column 12, lines 19-46).

As to claim 9, D'Avello et al discloses a mobile communication terminal (Fig. 1, item 101) served in a mobile communication network and performing wireless communications with a base station in the network (Fig. 1, column 3, line 43 through column 4, line 2), comprising: a memory for storing one or plurality of card information items (column 5, line 1-60); and disabling means for prohibiting, in response to a reception of a disabling signal transmitted from said

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base station (column 6, lines 25-35), use of said card information items stored in said memory (column 8, lines 24-61).

As to claim 10, D'Avello et al further discloses that wherein said disabling means deletes said card information items stored in said memory (column 8, lines 24-61).

As to claim 11, D'Avello et al further discloses that wherein said disabling means inhibits said card information items stored in said memory from being accessed from outside (column 8, line 62 through column 9, line 52).

As to claim 12, the claim is interpreted and rejected for the same reason as set forth in claim 5.

As to claim 13, the claim is interpreted and rejected for the same reason as set forth in claim 4.

As to claim 14, the claim is interpreted and rejected for the same reason as set forth in claim 4.

As to claim 15, D'Avello et al further discloses that wherein said mobile communication terminal is a mobile telephone for performing telephone communications wirelessly (column 4, lines 31-47).

### ***Conclusion***

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Breeden et al (US Patent No: 5,274,368) discloses "Method and apparatus for controlling access to a communication system".

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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc H Doan whose telephone number is 703-305-6311. The examiner can normally be reached on 9:30 AM - 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Maung A Nay can be reached on 703-308-7745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system at 866-217-9197 (toll-free).

Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Phuoc Doan

  
**NAY MAUNG**  
**SUPERVISORY PATENT EXAMINER**